

Appl. No. : **09/818,699**
Filed : **March 27, 2001**

AMENDMENTS TO THE DRAWINGS

Applicant has amended Figure 4 to correct the spelling of DECRYPT in block 88. No new matter has been added.

Appl. No. : **09/818,699**
Filed : **March 27, 2001**

REMARKS

The October 30, 2006 Office Action was based upon pending Claims 1, 5, 7, 8, and 10-20. This amendment amends Claims 1, 5 and 8 and cancels Claims 10, 15, and 18. Thus, after entry of this amendment Claims 1, 5, 7, 8, 11-14, 16, 17, 19, and 20 are pending and presented for further consideration.

The October 30, 2006 Office Action rejects Claims 1, 7, 8, 10-12, and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0039659 to Simmons et al. ("the Simmons publication") in view of U.S. Patent Publication No. 2001/0039659 to Brundrett et al. ("the Brundrett patent"). Further, the Office Action rejects Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Simmons in view of Brundrett, and further in view of the article "Applied Cryptography" to Schneier ("the Schneier article"). Further, the Office Action rejects Claims 7, 13, 14 under 35 U.S.C. § 103(a) as being unpatentable over Simmons in view of Brundrett, in view of Schneier, and further in view of U.S. Patent No. 6,094,721 to Eldridge et al. ("the Eldridge patent").

In addition, the Office Action rejects Claims 1, 5, and 8 under U.S.C § 112, first paragraph, as failing to comply with the written description requirement. The Office Action further rejects Claims 1, 5, and 8 under U.S.C § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

In addition, the Office Action objects to the specification under 35 U.S.C. § 132(a). The Examiner alleges "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key" is new matter. Further, the Office Action objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. The Examiner alleges that the specification is not clear on "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key".

Appl. No. : 09/818,699
Filed : March 27, 2001

AMENDMENT TO THE SPECIFICATION

Applicant has amended the specification on page 10 line 21 through page 11 line 7 to correct a grammatical error. No new matter has been added.

AMENDMENT TO THE DRAWINGS

Applicant has amended Figure 4 to correct the spelling of DECRYPT in block 88. No new matter has been added.

OBJECTION TO THE SPECIFICATION UNDER 35 U.S.C. § 132(a)

The Office Action objects to the specification under 35 U.S.C. § 132(a). The Examiner alleges "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key" is new matter.

In response, Applicant has deleted the phrase "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key" from Claims 1, 5, and 8. Applicant respectfully requests the Examiner to withdraw the objection to the specification under 35 U.S.C. § 132(a).

OBJECTION TO THE SPECIFICATION

The Office Action objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. The Examiner alleges that the specification is not clear on "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key".

In response, Applicant has deleted the phrase "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key" from Claims 1, 5, and 8. Applicant respectfully requests the Examiner to withdraw the objection to the specification.

Appl. No. : 09/818,699
Filed : March 27, 2001

REJECTION OF CLAIMS 1, 5, and 8 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The Examiner rejected Claims 1, 5, and 8 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

In response, Applicant has deleted the phrase "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key" from Claims 1, 5, and 8. Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1, 5, and 8 under 35 U.S.C. § 112, first paragraph.

REJECTION OF CLAIMS 1, 5, and 8 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner rejected Claims 1, 5, and 8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

In response, Applicant has deleted the phrase "comparing the owner of the encryption key obtained from the attribute with the requestor to determine whether the requestor is the owner of the encryption key" from Claims 1, 5, and 8. Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1, 5, and 8 under 35 U.S.C. § 112, second paragraph.

REJECTION OF CLAIMS 1, 8, 10-12 and 15-20 UNDER 35 U.S.C. § 103(a)

The Examiner further rejected Claims 1, 8, 10-12 and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over the Simmons publication in view of the Brundrett patent.

Claim 1

Simmons and Brundrett, alone or in combination, do not teach checking in the client computer system an attribute of the requested data to determine whether the requested data is encrypted with an encryption key, wherein the

Appl. No. : **09/818,699**
Filed : **March 27, 2001**

attribute is alterable by a network administrator, and wherein the network administrator is independent of the at least one network server.

In contrast, an embodiment teaches checking in the client computer system an attribute of the requested data to determine whether the requested data is encrypted with an encryption key, wherein the attribute is alterable by a network administrator, and wherein the network administrator is independent of the at least one network server. See page 13 lines 7-15.

Further, Simmons stores decrypted data files and sends encrypted data files to the requestor (see abstract). Brundrett checks an attribute to determine how to store data files, stores encrypted data files, and sends decrypted data files to the requestor (see lines 34-39 of the abstract).

However, an embodiment of the invention checks an attribute of the requested file to determine if the requested file is encrypted, and if the requested file is encrypted, send the encrypted file to the requestor. Neither Simmons, nor Brundrett store encrypted files and send encrypted files to the requestor.

Because the references cited by the Examiner do not disclose, teach or suggest checking in the client computer system an attribute of the requested data to determine whether the requested data is encrypted with an encryption key, wherein the attribute is alterable by a network administrator, and wherein the network administrator is independent of the at least one network server, and if the requested data is encrypted with the encryption key, sending the encrypted data to the client computer system, along with the other attributes of independent Claim 1, Applicant asserts that Claim 1 is not obvious in view of Simmons and Brundrett, alone or in combination. Applicant therefore respectfully submits that Claim 1 is patentably distinguished over the cited references and Applicant respectfully requests allowance of Claim 1.

Claim 8

Appl. No. : 09/818,699
Filed : March 27, 2001

Although Claim 8 has different language than Claim 1, Claim 8 is believed to be patentable for similar reasons (where applicable), and because of the different features recited therein.

Claims 11, 12 and 16, 17, 19, and 20

Claims 11 and 12, which depend from Claim 1, Claims 16 and 17, which depend from Claim 5, and Claims 19 and 20, which depend from Claim 8, are believed to be patentable for the same reasons articulated above with respect to Claims 1, 5, and 8, respectively, and because of the additional features recited therein.

Claims 10, 15, and 18

By this amendment, Applicant has canceled Claims 10, 15, and 18 without prejudice or disclaimer. Accordingly, Applicant respectfully requests the Examiner to withdraw the objection under 35 U.S.C. § 103(a).

REJECTION OF CLAIM 5 UNDER 35 U.S.C. § 103(a)

The Office Action rejects Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over the Simmons publication in view of the Brundrett patent, and further in view of the Schneier article.

Claim 5

Simmons, Brundrett, and Schneier, alone or in combination, do not teach checking in the client computer system an attribute of the requested data to determine whether the requested data is encrypted with an encryption key, wherein the attribute is alterable by a network administrator, and wherein the network administrator is independent of the at least one network server.

In contrast, an embodiment teaches checking in the client computer system an attribute of the requested data to determine whether the requested data is encrypted with an encryption key, wherein the attribute is alterable by a network administrator, and wherein the network administrator is independent of the at least one network server. See page 13 lines 7-15.

Appl. No. : **09/818,699**
Filed : **March 27, 2001**

Further, Simmons stores decrypted data files and sends encrypted data files to the requestor (see abstract). Brundrett checks an attribute to determine how to store data files, stores encrypted data files, and sends decrypted data files to the requestor (see lines 34-39 of the abstract). Schneier does not teach storing encrypted data files and sending encrypted data files to the requestor.

However, an embodiment of the invention checks an attribute of the requested file to determine if the requested file is encrypted, and if the requested file is encrypted, send the encrypted file to the requestor. Neither Simmons, Brundrett, nor Schneier store encrypted files and send encrypted files to the requestor.

Because the references cited by the Examiner do not disclose, teach or suggest checking in the client computer system an attribute of the requested data to determine whether the requested data is encrypted with an encryption key, wherein the attribute is alterable by a network administrator, and wherein the network administrator is independent of the at least one network server, and if the requested data is encrypted with the encryption key, sending the encrypted data to the client computer system, along with the other attributes of independent Claim 5, Applicant asserts that Claim 5 is not obvious in view of Simmons, Brundrett, and Schneier, alone or in combination. Applicant therefore respectfully submits that Claim 5 is patentably distinguished over the cited references and Applicant respectfully requests allowance of Claim 5.

REJECTION OF CLAIMS 7, 13, AND 14 UNDER 35 U.S.C. § 103(a)

The Office Action rejects Claims 7, 13, 14 under 35 U.S.C. § 103(a) as being unpatentable over the Simmons publication in view of the Brundrett patent, in view of the Schneier article, and further in view of the Eldridge patent.

Claims 13 and 14, which depend from Claim 1, and Claim 7, which depends from Claim 5, are believed to be patentable for the same reasons

Appl. No. : 09/818,699
Filed : March 27, 2001

articulated above with respect to Claims 1 and 5, respectively, and because of the additional features recited therein.

CONCLUSION

Although amendments and cancellations have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments and cancellations are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby. Furthermore, any arguments in support of patentability and based on a portion of a claim should not be taken as founding patentability solely on the portion in question; rather, it is the combination of features or acts recited in a claim which distinguishes it over the prior art.

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Appl. No. : **09/818,699**
Filed : **March 27, 2001**

APPENDIX